

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JONATHAN SMITH,  
aka Gotti,

Defendant.

2:09-CR-487-LDG-(LRL)

**AMENDED FINAL ORDER OF FORFEITURE**

On February 22, 2011, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 18, United States Code, Section 924(d)(1), (d)(2)(C), and (d)(3)(B) and Title 28, United States Code, Section 2461(c); Title 21, United States Code, Section 853(a)(1) and (a)(2); and Title 21, United States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c), based upon the plea of guilty by defendant JONATHAN SMITH, aka Gotti, to the criminal offenses, forfeiting specific property alleged in the Superseding Criminal Indictment and shown by the United States to have the requisite nexus to the offenses to which defendant JONATHAN SMITH, aka Gotti, pled guilty. Superseding Criminal Indictment, ECF No. 22; Change of Plea Minutes, ECF No. 69; Preliminary Order of Forfeiture, ECF No. 71; Final Order of Forfeiture, ECF No. 83.

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1 This Court finds the United States of America published the notice of forfeiture in accordance  
2 with the law via the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), consecutively  
3 from February 26, 2011, through March 27, 2011, and notified all known third parties by personal  
4 service or by regular mail and certified mail return receipt requested, of their right to petition the  
5 Court. Notice of Filing Proof of Publication, ECF No. 72; Notice of Filing Service of Process, ECF  
6 No. 86.

7 On January 2, 2013, Joseph Collins was served by personal service with a copy of the  
8 Preliminary Order of Forfeiture and the Notice. Notice of Filing Service of Process, ECF No. 86.

9 On January 24, 2013, Joe Collins filed a Notice of Claim Filed by an Interested Party. Notice  
10 of Claim Filed by an Interested Party, ECF No. 87.

11 On July 25, 2013, Joe Collins filed a Notice of Withdrawal of Claim. Notice of Withdrawal,  
12 ECF No. 88.

13 This Court finds no other petition was filed herein by or on behalf of any person or entity and  
14 the time for filing such petitions and claims has expired.

15 This Court finds no petitions are pending with regard to the assets named herein and the time  
16 for presenting such petitions has expired.

17 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,  
18 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the  
19 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.  
20 32.2(c)(2); Title 18, United States Code, Section 924(d)(1), (d)(2)(C), and (d)(3)(B) and Title 28,  
21 United States Code, Section 2461(c); Title 21 United States Code, Section 853(a)(1) and (a)(2); Title  
22 21, United States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c); and  
23 Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to law:

- 24 (a) an RG Model 14, .22 caliber revolver, serial #388013, and any and all related  
25 ammunition;

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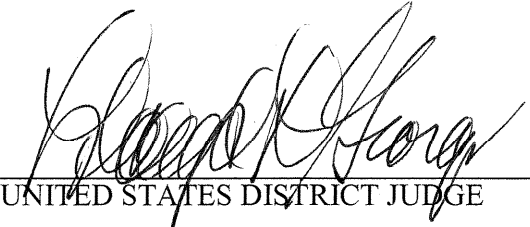
- 1 (b) a Cobra Model FS 380, .380 semi-automatic pistol, serial #FS009345, and any  
2 and all related ammunition;
- 3 (c) a Savage Model 10, .308 caliber rifle, serial #G050838, and any and all related  
4 ammunition; and
- 5 (d) an *in personam* criminal forfeiture money judgment of \$1,270.00 in United  
6 States Currency.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,  
8 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any  
9 income derived as a result of the United States of America's management of any property forfeited  
10 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

11 The Clerk is hereby directed to send copies of this Order to all counsel of record and three  
12 certified copies to the United States Attorney's Office.

13 DATED this 1 day of Aug, 2013.

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UNITED STATES DISTRICT JUDGE

**PROOF OF SERVICE**

I, Ray Southwick, Forfeiture Support Associates Paralegal, certify that the following individuals were served with a copy of the Amended Final Order of Forfeiture on July 31, 2013, by the below identified method of service:

CM/ECF:

Michael V. Cristalli  
Gordon Silver  
3960 Howard Hughes Parkway 9<sup>th</sup> Floor  
Las Vegas, NV 89169  
mcristalli@gordonsilver.com  
Attorney for Jonathan Smith

Regular U.S. Mail

Joe Collins  
PRO SE  
5069 Reno Ct.  
Las Vegas, NV 89119  
Interested Party

/s/ Ray Southwick  
Ray Southwick  
Forfeiture Support Associates Paralegal